

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name,

I believe I am an original, first and joint inventor of the subject matter claimed and for which a patent is sought on the invention entitled RAIL CAR DOOR CLOSER, the specification of which

☒ is attached hereto.

☐ was filed on _____ as Application Serial No. _____ and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above, and agree that said contents constitute the entirety of the invention which I jointly devised.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications(s):

Number	Country	Day/Month/Year filed	Priority Claimed
			<input type="checkbox"/>
			<input type="checkbox"/>

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

Prior Provisional Application(s):

Application Number	Filing Date
60/406,342	August 28, 2002

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s):

Serial No.	Filing Date	Status: Patented, Pending, Abandoned
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I understand that the following listed attorneys and/or agent(s) of McDermott, Will & Emery represent only their client, Martin Marietta Materials Southwest Ltd. ("Martin Marietta"). I further understand that the following listed attorneys and/or agent(s) of McDermott, Will & Emery do not regard me as a client, but as an inventor of the attached patent application, and that the prosecution activities engaged in thereby are intended to serve the interests of Martin Marietta, to which I have assigned my right, title, and interest in the aforementioned patent property.

I hereby appoint the following attorney(s) and/or agent(s): Steven W. Allis, Reg. No. 50,532; Stephen A. Becker, Reg. No. 26,527; John G. Bisbikis, Reg. No. 37,095; Daniel Bucca, Reg. No. 42,368; Kenneth L. Cage, Reg. No. 26,151; Jennifer Chen, Reg. No. 42,404; Bernard P. Codd, Reg. No. 46,429; Lawrence T. Cullen, Reg. No. 44,489; Paul Devinsky, Reg. No. 28,553; Margaret M. Duncan, Reg. No. 30,879; Shamita De. Etienne-Cummings, Reg. No. 46,072; Ramyar M. Farid, Reg. No. 46,692; Brian E. Ferguson, Reg. No. 36,801; Michael E. Fogarty, Reg. No. 36,139; John R. Fuisz, Reg. No. 37,327; Keith E. George, Reg. No. 34,111; John A. Hankins, Reg. No. 32,029; Eric J. Kraus, Reg. No. 36,190; Catherine Krupka, Reg. No. 46,227; Jack Q. Lever, Reg. No. 28,149; Raphael V. Lupo, Reg. No. 28,363; Burman Y. Mathis III, Reg. No. 44,907; Michael A. Messina, Reg. No. 33,424; Dawn L. Palmer, Reg. No. 41,238; Joseph H. Paquin, Jr., Reg. No. 31,647; Scott D. Paul, Reg. No. 42,984; William D. Pegg, Reg. No. 42,988; Robert L. Price, Reg. No. 22,685; Gene Z. Robinson, Reg. No. 33,351; Brian K. Seidleck, Reg. No. 51,321; Joy Ann G. Serauskas, Reg. No. 27,952; Jiri F. Smetana, Reg. No. 52,456; David A. Spenard, Reg. No. 37,449; Arthur J. Steiner, Reg. No. 26,106; Michael D. Switzer, Reg. No. 39,552; David M. Tennant, Reg. No. 48,362; Judith L. Toffenetti, Reg. No. 39,048; Daniel S. Trainor, Reg. No. 43,959; Shival P. Virmani, Reg. No. 45,032; Kelli N. Watson, Reg. No. 47,170; Cameron K. Weiffenbach, Reg. No. 44,488; Aaron Weisstuch, Reg. No. 41,557; Edward J. Wise, Reg. No. 34,523; Jeffrey A. Woller, Reg. No. 48,041; Alexander V. Yampolsky, Reg. No. 36,324; Robert W. Zelnick, Reg. No. 36,976; and Wei-Chen Chen, admitted under 37 CFR 10.9(b) all of

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Washington, D. C. 20005-3096

Direct Telephone Calls to: Telephone (202) 756-8000

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them.

Full name of sole or first inventor: David P. Marchiori

Inventor's signature:

David P. Marchiori

Date: 8/27/03

Residence: San Antonio, TX

Citizenship: USA

Post Office Address: 5896 Old Camp Bullis Road, San Antonio, TX 78257

Full name of second inventor: Melvin Gary Clark

Inventor's signature:

Date:

Residence: Pipe Creek, TX

Citizenship: USA

Post Office Address: 738 F.M. 1283, Pipe Creek, TX 78063

08/27/2003 13:40 FAX 2027688087

McDermott Will Emery

P. 02

006/088

Docket No. 46398-662

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter claimed and for which a patent is sought on the invention entitled RAIL CAR DOOR CLOSER, the specification of which

☒ is attached hereto.

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Prior Foreign Application(s):

Number

Country

Day/Month/Year filed

Priority Claimed



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Prior Provisional Application(s):

Application Number

Filing Date

60/406,342

August 28, 2002

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Prior U.S. Application(s):

Serial No.

Filing Date

Status: Patented, Pending, Abandoned

08/27/2003 12:40 FAX 2027588087

McDermott Will Emery

008/088

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: David P. Marchiori

Inventor's signature:

Date:

Residence: San Antonio, TX

Citizenship: USA

Post Office Address: 5896 Old Camp Bullis Road, San Antonio, TX 78257

Full name of second inventor: Melvin Gary Clark

Inventor's signature:

Date: 8/28/03

Residence: Pipe Creek, TX

Citizenship: USA

Post Office Address: 738 F.M. 1283, Pipe Creek, TX 78063

09/27/2003 10:40 FAX 2027588007

McDermott Will Emery

007/088

POWER OF ATTORNEY

This Power of Attorney relates to the attached patent application, entitled RAIL CAR DOOR CLOSER, for which patent rights are sought. I, Melvin Gary Clark, am a joint-inventor of the attached patent application, for which Provisional Patent Application No. 60/406,342 was filed on August 28, 2002.

I understand that the following listed attorneys and/or agent(s) of McDermott, Will & Emery represent only their client, Martin Marietta Materials Southwest Ltd. ("Martin Marietta"). I further understand that the following listed attorneys and/or agent(s) of McDermott, Will & Emery do not regard me as a client, but as an inventor and co-owner of the attached patent application, and that the prosecution activities engaged in thereby are intended to serve the interests of Martin Marietta, to which an interest in the entire right, title, and interest of the aforementioned patent property has been assigned by joint-inventor, David Marchiori.

Whereas I recognize and have been advised that McDermott, Will & Emery's representation of Martin Marietta with respect to the attached patent application, and patent applications arising therefrom, may present potential or actual conflicts of interest, I hereby agree to waive any actual and potential conflicts of interest, and I consent to appoint the following attorneys and/or agent(s) with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them:

Steven W. Allie, Reg. No. 50,532; Stephen A. Becker, Reg. No. 26,527; John G. Bisbikis, Reg. No. 37,095; Daniel Boca, Reg. No. 42,368; Kenneth L. Cagg, Reg. No. 26,151; Jennifer Chen, Reg. No. 42,404; Bernard P. Codd, Reg. No. 44,429; Lawrence T. Cullen, Reg. No. 44,489; Paul Davinsky, Reg. No. 28,553; Margaret M. Duncan, Reg. No. 30,879; Shantha D. Etienne-Cummings, Reg. No. 46,072; Ramyar M. Field, Reg. No. 46,692; Brian E. Ferguson, Reg. No. 36,801; Michael E. Fogarty, Reg. No. 36,139; John R. Fuhs, Reg. No. 37,327; Keith E. George, Reg. No. 34,111; John A. Hankins, Reg. No. 32,029; Eric J. Kraus, Reg. No. 36,190; Catherine Krupka, Reg. No. 46,227; Jack Q. Lever, Reg. No. 28,149; Raphael V. Lupo, Reg. No. 28,363; Brannen Y. Mathis III, Reg. No. 44,907; Michael A. Messina, Reg. No. 33,424; Dawn L. Palmer, Reg. No. 41,238; Joseph H. Paquin, Jr., Reg. No. 31,647; Scott D. Paul, Reg. No. 42,984; William D. Pegg, Reg. No. 42,988; Robert L. Price, Reg. No. 22,685; Gene Z. Robinson, Reg. No. 33,351; Brian K. Seidlock, Reg. No. 51,321; Joy Ann G. Scrauskas, Reg. No. 27,952; Jiri F. Smetana, Reg. No. 52,456; David A. Sponard, Reg. No. 37,449; Arthur J. Steiner, Reg. No. 26,106; Michael D. Switzer, Reg. No. 39,552; David M. Tennant, Reg. No. 48,362; Judith L. Toffenatti, Reg. No. 39,048; Daniel S. Trainor, Reg. No. 43,959; Shival P. Virmani, Reg. No. 45,032; Kelli N. Watson, Reg. No. 47,170; Cameron K. Weffenbach, Reg. No. 44,488; Aaron Weismuch, Reg. No. 41,557; Edward J. Wise, Reg. No. 34,523; Jeffrey A. Woller, Reg. No. 48,041; Alexander V. Yampolsky, Reg. No. 36,324; Robert W. Zelnick, Reg. No. 36,976; and Wei-Chen Chen, admitted under 37 CFR 10.9(b) all of

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AGREED AND ACCEPTED TO:

By: Melvin Gary Clark
Melvin Gary Clark

Dated: 8/28/03